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IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

Applicant: Lezdey
Filed: 03/15/2004
Serial No.: 10/801,419
For: Method of Treatment

Examiner: Betton
Art Unit: 1614

Mail Stop -- Response -- No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Please find enclosed for filing:

 X Response and Reconsideration

 X Supporting article

 X Post Card

Date: November 30, 2007

Docket No.: 1434-19

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PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

John Lezdey

SIGNATURE OF PERSON SIGNING CERTIFICATE DATE

John Lezdey

11/30/2007

Respectfully submitted,

John Lezdey
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Response

Responsive to the Official Action dated November 21, 2007.

Reconsideration is respectfully requested of the rejection of the claims under 35 USC 103(a) as being unpatentable over Lezdey et al, Henley et al, and Perricone in view of Weiner et al and Gray.

The Examiner has mentioned that Lezdey et al and Perricone do not teach the use of cromolyn for diaper rash or decubitus ulcers. Consequently, their application to make obvious the present invention has no merit.

Perricone relates to free radical scavenging olive oil polyphenols which are irrelevant to treating decubitus ulcers or diaper rash by preventing degranulation of mast cells. The chemistry, physiological effect or mechanism of action are completely different. Applicant's invention does not address aging process or free radicals. Perricone in later publications preached the use of salmon in the diet or the taking of dimethyl aminoethanol (DMEA) to stop inflammation and prevent facial wrinkles. This method is also of no value to make obvious the present invention.